



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

August 23, 2006

David Green
Regional Environmental Coordinator
AFRPA Western Region Execution Center
3411 Olson Street
McClellan, CA 95652-1003

Re: Draft Finding of Suitability to Transfer (FOST), Subparcels A-2, Northern Portion of A-3, A-8-11, A-13

Dear Mr. Green:

EPA has reviewed the subject FOST for transferring 282 acres. The property includes an open field and three buildings, and is considered Environmental Condition Category (ECC) 3. The following comments are provided:

1. We recommend the FOST be reclassified as an ECC-4 since inert ordnance was removed from site AOC 78.
2. Because inert practice ordnance were found and removed from the EOD Proficiency Area, AOC 78, EPA recommends that the AF provide a disclosure narrative in the deed regarding former activities at the site. The AF's point of contact and phone number should also be included in the disclosure in case future ordnance is found after land transfer.
3. The FOST should have a deed restriction for lead based paint (LBP) that prohibits any residential reuse, unless a LBP risk assessment and any required abatement is completed prior to residential use.
4. Revise Attachment 1 to show the locations of adjacent plumes, existing wells, and other adjacent facilities like the percolation ponds. It is difficult to evaluate the condition of the property for transfer without the IRP sites and facilities shown in relationship with the FOST parcels.
5. The AF should describe the potential long term groundwater movement related to the Compliance Site, the approximately two million gallons of JP-4 jet fuel free product groundwater plume located up gradient of the FOST site.
6. The AF should describe the potential long term impacts from Adelanto's percolation ponds in

relationship to the contaminant plumes adjacent to the property, as we understand the water discharge volumes into the ponds have significantly increased.

7. We understand that the high volumes of water used to cool the high desert power plant at Site FT-20 are mostly evaporated, and the resulting bile is disposed of off site. The FOST should document this, showing there are no potential long term groundwater flow concerns that could impact the adjacent plumes to the FOST property.

8. The AF should evaluate potential indoor air risks at the most northeastern tip of the FOST property, based on its proximity to the FT-19a and FT-19c VOC sites.

9. The AF should evaluate potential indoor air risks at the most southern tip of the FOST property, based on its proximity to one of the OT-69 VOC plumes.

10. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requires a covenant indicating that all remedial action necessary to protect human health and the environment, with respect to any hazardous substances remaining on the Property, has been taken prior to transfer of such property by deed (*see* CERCLA § 120 (h)(3)(A)(ii)(I)). Accordingly, replace the entire Section 8 with following suggested language:

“The deed proposal has been adequately assessed and evaluated for: (a) the presence of hazardous substances and contamination on the Property (b) environmental impacts anticipated from the intended use for the Property, (c) adequacy of use restrictions and notifications to ensure that the intended use is consistent with protection of human health and the environment, and (d) adequate notice of disclosures, including those required by CERCLA 120(h). The anticipated future use of this Property does not present a current or future risk to human health or the environment subject to inclusion and compliance with the appropriate restrictions on use and disclosures as addressed above. The following covenant CERCLA language will be included in the Deed:

- CERCLA 120(h)(3)(A)(ii)(I) warranting that all remedial action under CERCLA necessary to protect human health and the environment with respect to hazardous substances remaining on the Property have been taken before the date of transfer.
- CERCLA 120(h)(3)(A)(ii)(II) warranting that any remedial action under CERCLA found to be necessary after the date of transfer with respect to such hazardous substances remaining on the property shall be conducted by the United States.
- CERCLA 120(h)(3)(A)(iii) granting the United States access to the Property in any case in which remedial action or corrective action is found to be necessary after the date of transfer.

The Conditions of CERCLA Section 120(h) have been satisfied. Therefore, the property is suitable for transfer.”

11. For each deed restriction or notification identified as necessary in Section 5, the AF should provide the proposed text of such restriction or notification.

12. No wells are referenced in the FOST, but several are used for monitoring activities. The AF must reference all the wells and the related appropriate restrictions for protecting those wells.

13. Pesticides are not addressed in the FOST. We suggest that the AF address pesticide issues in Attachment 2, the Environmental Factors Table.

Thank you for considering our concerns. If you have any questions, please contact me at extension (415) 972-3193.

Sincerely,



James Chang
Remedial Project Manager

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